



City of Greensboro

Melvin Municipal Building
300 W. Washington Street
Greensboro, NC 27401

Meeting Minutes - Draft City Council

Monday, August 6, 2018

5:30 PM

Council Chamber

This City Council meeting of the City of Greensboro was called to order at 5:45 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present:

Call to Order

Present: 9 - Mayor Nancy Vaughan, Mayor Pro-Tem Yvonne J. Johnson, Councilmember Marikay Abuzuaiter, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Michelle Kennedy, Councilmember Justin Outling, Councilmember Tammi Thurm and Councilmember Goldie F. Wells

Also present were City Manager David Parrish, City Attorney Tom Carruthers, and City Clerk Elizabeth H. Richardson.

Moment of Silence

The meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

Mayor Vaughan recognized Councilmember Hoffmann to lead the Pledge of Allegiance to the Flag.

Recognition of Courier

City Manager David Parrish recognized Kim Sowell of the Water Resources Department who served as Courier for the meeting.

Council Procedure for Conduct of the Meeting

Mayor Vaughan explained the Council procedure for conduct of the meeting; and stated that the speakers would be heard at the beginning of the meeting rather than on individual items.

Mayor Pro-Tem Johnson gave a shout out for her grandson's high school traveling baseball team the Colts who were playing this evening.

I. CEREMONIAL AND/OR PRESENTATION ITEMS

1. [ID 18-0516](#) Update on the Water Quality for the City of Greensboro

City Manager Parrish recognized Interim Assistant City Manager Steve Drew for a presentation.

Interim Assistant City Manager Drew referenced Greensboro's water quality being in the news; made a PowerPoint Presentation (PPP); voiced the need to be transparent; for the public to be informed; provided an overview of the water quality and safety; testing processes for the City; spoke to contaminants of interest being PFOS (Perfluorooctane Sulfonate) and PFOA (Perfluorooctanoic Acid); and explained the testing process for the Guilford County School System. Interim Assistant City Manager Drew explained the history of the contaminant investigation which began in 2014; outlined the difference between regulated and unregulated water contaminants; and recognized Assistant Director of Water Resources Mike Borchers.

Councilmember Hightower inquired as to the definition of PFOS and PFOA.

Interim Assistant City Manager Drew responded that it was linked to the per chlorinated acidic compounds; spoke to the regulation of said compounds; reminded Council of an ongoing study between the City of Greensboro and North Carolina State University that Council approved in 2016; advised what the health advisories meant and were based on; verified that the City had done its due diligence; and highlighted continued sampling areas as well as other proactive measures the City had in place. Interim Assistant City Manager Drew emphasized that the water was safe for drinking; spoke to interlocal partnerships for testing; referenced the impact of weather patterns; and outlined the regulations and requirements of the Environmental Protection Agency (EPA).

Councilmember Hightower clarified that the City's water was safe, to which Interim Assistant City Manager Drew responded in the affirmative; and stated he drank the City's water.

Councilmember Hightower requested the PPP be placed on the City's website.

Council thanked City Manager Parrish for the update; and inquired about the process for testing water fountains in several Guilford County School facilities.

Mr. Borchers explained the process for testing and requirements in each facility; the process for sampling the water; spoke to when a problem was the result of the fixture; to corrosion control; and to when older fixtures were manufactured. Mr. Borchers added that PFOS and PFOA were long carbon chain molecules with fluorine on them; assured Council he wanted to uphold public trust; and voiced appreciation to Council for funding the investigation.

Mayor Vaughan thanked staff for being proactive; expressed her faith in the department; and stated she drank the City water.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer A, Exhibit No. 18, which is hereby referred to and made a part of these minutes.)

II. PUBLIC COMMENT PERIOD

Mayor Vaughan stated this was the time for public comment; and that she had combined speakers by topic.

Sondra Wright, P.O. Box 811 voiced concerns with the current good faith efforts program; voiced disappointment with the Minority and Women Business Enterprise (M/WBE) participation with the aquatic center contract; concern with Coliseum Director Matt Brown's remarks; referenced answers provided to questions asked by Councilmember Hightower at the July 17th meeting of Council; and emphasized that she wished to ensure better opportunities for businesses in the future.

Chuck Byrd, 302 West Market Street voiced concern with the lack of transparency in the M/WBE program and process; asked that the public be allowed to weigh in on the proposed program; spoke to history repeating itself; questioned the role of Griffin and Strong in the process; spoke to apartheid economics; disenfranchisement of African Americans and minorities; reviewed the suggestions of the Greensboro Business League; and requested they be put into place.

Mayor Vaughan spoke to the process for the M/WBE Disparity Study going forward.

City Manager Parrish explained that an update would be placed on the August 21st work session of Council; and provided an overview of the study to date.

Councilmember Hightower requested a draft of the proposed M/WBE program be available for review prior to August 21st.

City Manager Parrish spoke to the incorporation of Griffin and Strong recommendations in the proposed ordinance; advised of the different tracks for incorporation into the program; spoke to hearing concerns; working through the

issues; and stated he planned on getting in contact with the review committee members.

City Attorney Carruthers added that a rough draft had been completed; had been distributed to Griffin and Strong, the review committee members and others for review; advised that staff would incorporate Griffin and Strong's suggestions once they had heard back from them; and stated he would prepare a memo outlining the changes.

Phillip Young, 407 East Washington Street voiced concern with the adoption of the aggressive ordinance at the July 24th meeting of Council; referenced other cities that had passed legislation for the homeless population; provided the history for his decrease in income; spoke to persons with mental health issues; and asked Council to adopt a homeless bill of rights with regard to police protocol.

Ryan Tardiff, 830 West Market Street voiced disappointment with Council not delaying the vote on the solicitation ordinance at the July 24th meeting of Council; stated the ordinance was unconstitutional; emphasized the need for additional review of the ordinance; the need to address poverty; addiction and homeless issues; asked for a police protocol bill; requested a 30 to 60 day review of the ordinance; and provided his view of some Downtown business owners.

John Royal, 2618 Shady Lawn Drive spoke to the number of citizens who spoke in opposition to the adoption and vote for the aggressive ordinance; questioned the City criminalizing homelessness; and spoke to the increase in rent at the Summit Avenue apartments.

Due to the fire alarm going off the meeting recessed at 6:41 p.m. The meeting reconvened at 6:58 p.m. with all members in attendance.

Mr. Royal voiced concern with ARCO Realty as a landlord; referenced campaign contributions to Council; public comments made at the July 24th meeting of Council; voiced concern with criminalizing homelessness; and a violation of First Amendment Rights.

Hester Petty, 3402 Canterbury Street provided a breakdown of calls to 911 in 2017 with regard to panhandling; response times to calls; spoke to verbal warnings to panhandlers; suggested solutions to educate the public; referenced the City of Duluth's policy; and asked Council to consider a similar policy for Greensboro.

Marcus Hyde, 315 Tate Street voiced disappointment with the vote at the July 24th meeting of Council; referenced comments made by Mayor Vaughan; asked Council to review who the law was being applied to; that the harassment of the homeless population be stopped; that a police protocol policy be put in place; and referenced low wages and the eviction crisis in Greensboro.

Mayor Vaughan provided clarification regarding comments she made at the July 24th meeting of Council.

Mr. Hyde voiced concern with Council taking statements made by the Homeless Union out of context; verified what the Homeless Union had communicated; and emphasized the homeless population deserved equal treatment under the law.

Mitch Fryor, 3404 Shaker Drive spoke to data collected since the repeal of the original ordinance; voiced concern with legitimizing discrimination; political apathy in Greensboro; asked that a date be set for review of the current ordinance; referenced comments made at the community meetings; and requested that a Poverty Commission be formed.

Councilmember Abuzuaiter addressed information regarding campaign contributions referenced during the public comment period; and requested the information be provided to Council.

III. ITEMS CALLING PUBLIC HEARINGS

2. [ID 18-0469](#) Resolution Calling a Public Hearing for August 21, 2018 to Receive Public

Comments on an Application for the 2017 Justice Assistance Grant (JAG)
in the Amount of \$209,245

Mayor Vaughan stated this was the time for the items calling public hearings; explained the process for the item being on the agenda; confirmed this type of item was built into the agenda for the town hall style meetings; and reminded Council that the vote would allow time for advertisement for a public hearing to take place at the August 21st meeting of Council.

Councilmember Hightower voiced concern with confusion around Council voting at the community forum style meetings; and stated she was in agreement with voting after clarification from Mayor Vaughan.

**Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hoffmann, to
adopt the resolution. The motion carried on the following roll call vote:**

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower,
Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F.
Wells

192-18 RESOLUTION CALLING A PUBLIC HEARING FOR AUGUST 21, 2018 TO RECEIVE PUBLIC COMMENTS
ON AN APPLICATION FOR THE 2017 JUSTICE ASSISTANCE GRANT
IN THE AMOUNT OF \$209,245

WHEREAS, in accordance with public safety funding federal regulation, 42 U.S.C. § 3751(a)., the City of Greensboro wishes to apply for a formula based grant allocation through the Edward Byrne Memorial Justice Assistance Grant (JAG), CFDA#16.738; and

WHEREAS, the City is required to conduct a public hearing for the governing body to consider public input in a decision authorizing grant application and a Memorandum of Understanding between the City of Greensboro, City of High Point, and Guilford County that reflects agreement on the allocations; and

WHEREAS, the Greensboro Police Department, High Point Police Department and Guilford County Sheriff's Department will propose the following grant allocation based on the grant solicitation requirements and formula that allows Cities to receive a higher allocation than Counties, even when Counties have the greater financial obligation; and

WHEREAS, the allocation totals \$209,245 and the planned application amounts for each jurisdiction are:

- Guilford County: \$ 53,206
- City of Greensboro: \$113,616
- City of High Point: \$ 42,423; and

WHEREAS, the City of Greensboro's Police Department is to serve as the lead/fiscal agent for the grant in FY 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the request to conduct a public hearing for August 21, 2018 to receive public comments on the proposed 2017 Justice Assistance Grant application in the total amount of \$209,245 to be divided between the Greensboro Police Department (\$113,616); Guilford County Sheriff's Department (\$53,206); and the High Point Police Department (\$42,423) is hereby approved.

(Signed) Yvonne Johnson

IV. GENERAL BUSINESS AGENDA

3. [ID 18-0507](#) Second Reading of an Ordinance Amending the Greensboro Code of Ordinances Chapter 16 With Respect to Motor Vehicles and Traffic and

Chapter 18 with Respect to Offenses and Miscellaneous Provisions

Mayor Vaughan read the title of the ordinance into the record.

Matters to be discussed by the Mayor and Members of the Council

Councilmember Hightower asked if when the Parker Poe Ordinance came back for a vote it would supercede the aggressive ordinance adopted at the July 24th meeting of Council; if there would be two enforceable ordinances on the books; if staff knew the number of calls received since adoption on July 24th and today; and if Police Chief Wayne Scott had reviewed the Duluth policy referred to by speakers.

City Attorney Carruthers responded that both ordinances would be on the books unless Council voted to rescind the aggressive ordinance adopted on July 24th; and spoke to the process for adoption of the Parker Poe ordinance.

City Manager Parrish stated he would provide the information regarding the amount of calls since adoption of the aggressive ordinance at the July 24th meeting of Council.

Police Chief Scott asked that the questions be repeated; confirmed that many of the directives of the Duluth model overlapped directives currently in place for the Greensboro Police Department; emphasized that City officers treated everyone with respect; that the department was open to having conversations with particular groups; added that he was not in agreement with individual rules for particular groups of people; and reiterated that officers treated all of the community equally. Police Chief Scott added that he did not have the data regarding the number of calls since July 24th but would provide that; spoke to the methodology in place for the department; and highlighted the philosophy of Greensboro's police officers.

Councilmember Hightower spoke to the community meeting with the Summit Avenue apartment residents this past Saturday; stated Council was committed to finding better living conditions for people; voiced the need to treat human beings with respect; referenced the need to address disparities; announced National Night Out (NNO) on Tuesday evening; and stated she looked forward to visiting many neighborhoods.

Councilmember Thurm placed the name of David Blackman into the data bank for future service on a board or commission; congratulated and thanked Code Compliance Manager Beth Benton for her service to the City; spoke to the challenges with housing issues; and stated she was looking forward to NNO.

Councilmember Outling requested that staff provide clarity for a policy outlining actions that Council would vote on at the community forum style meetings; congratulated Ms. Benton on her new position; referenced working with Ms. Benton while he served on the Minimum Housing Standards Commission; and stated he looked forward to NNO.

Councilmember Abuzuaiter placed the name of Jonathan King into the databank for future service on the Community Sustainability Council; congratulated Ms. Benton on her new venture; spoke to the character of Ms. Benton; stated she would attend NNO; and thanked those involved in the Summit Avenue apartment community meeting this past Saturday.

Moved by Mayor Vaughan, seconded by Mayor Pro-Tem Johnson to appoint Andrew Young to the Minimum Housing Standards Commission. The motion carried by voice vote. Mayor Vaughan voiced appreciation for the work of Ms. Benton; and stated she was looking forward to NNO.

Mayor Pro-Tem Johnson spoke to NNO; congratulated Ms. Benton; and spoke to the Motown Review event she attended at the Greensboro Coliseum.

Councilmember Wells thanked Community Relations Manager Donna Gray for her assistance in putting the Summit Avenue community meeting together last Saturday; encouraged citizens to attend NNO; to get to know their neighbors; highlighted events taking place at the libraries throughout the community; announced a meeting at Peeler Recreation Center for Kings Forest residents on August 13th at 6:00 p.m.; stated Field Operations was still collecting storm debris; and announced an upcoming event at the Renaissance Shops on August 18th.

Councilmember Kennedy echoed comments others had made regarding NNO; referenced the Summit Avenue community meeting; spoke to the need to address affordable housing; recognized Donna Gray and Jodi Stanley for their assistance in the meeting; and asked if Council could receive a Language Access Program (LAP) update at an upcoming work session.

City Manager Parrish confirmed the item would be placed on an upcoming work session.

Councilmember Kennedy spoke to working with Ms. Benton for approximately ten years; commended her work ethic; wished her well in her new journey; and asked for a meeting on Council boards and commissions.

Mayor Vaughan requested City Clerk Betsey Richardson poll the Council to see if Monday, August 20th would work.

Mayor Pro-Tem Johnson invited the public to Holy Spirit Episcopal Church on Yanceyville Street for NNO.

Moved by Councilmember Hoffmann, seconded by Councilmember Outling to appoint Ted Oliver to the Board of Adjustment in the position formerly held by Patti Eckard. The motion carried by voice vote.

Councilmember Kennedy stated she had requested City Attorney Carruthers research the possibility of inquiring the socio economic status of persons serving on boards and commissions.

City Attorney Carruthers reminded Council of the resolution adopted in 2016 around diversity around appointments to the City boards and commissions; confirmed it did not specifically speak to the economic status of persons; and spoke to Council discretion when setting policies.

Councilmember Hoffmann announced three working committees had been formed as a result of the Cultural Arts Master Plan Task Force meetings; spoke to their work over the next several months; and stated that they hoped to present a final report and recommendations to Council in November.

Mayor Vaughan commended the work of Police Officer P.D. Thomas in assisting a citizen recently; and voiced appreciation for a job well done.

Councilmember Hightower spoke to the service of Ms. Benton.

Matters to be presented by the City Manager

There were no items for discussion by the City Manager.

Matters to be presented by the City Attorney

City Attorney Carruthers stated he had attended the Summer Conference for the League of Municipal Attorneys; spoke to other North Carolina cities looking at Greensboro with regard to the Police Review Board; commended the work of the attorneys on the solicitation issue; and spoke to the impact of the work to other cities in the state.

Moved by Councilmember Hightower, seconded by Councilmember Wells to adjourn the meeting. City Attorney Carruthers stated the motion to adjourn was made in error; and rescinded by unanimous consent of Council.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Kennedy to recess to go into closed session to preserve the attorney-client privilege between the City Attorney and Council, and to consult with and give instructions to the City Attorney and an attorney retained by the City concerning pending litigation in the matter of Charlotte Jackson v. Greensboro, to instruct the City's staff concerning negotiations of the price and other material terms of a contract for acquisition by purchase or exchange of real property pursuant to N.C.G.S. Sections 143-318.11(a) (3), and (a) (5). The motion carried by voice vote.

Council recessed to closed session at 7:52 p.m. Council reconvened at 8:45 p.m. with the following members present: Mayor Vaughn, Councilmembers Abuzuaiter, Hoffmann, Kennedy and Thurm.

Moved by Councilmember Kennedy, seconded by Councilmember Thurm to return to open session. The motion carried by voice vote.

Adjournment

Moved by Councilmember Abuzuaiter, seconded by Councilmember Kennedy, to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL ADJOURNED AT 8:47 P.M.

ELIZABETH H. RICHARDSON
CITY CLERK

NANCY VAUGHAN
MAYOR